

REMARKS

This response is due on December 3, 2004. Applicants respectfully request that the claims be reconsidered for allowance in view of the attached remarks.

I. Status of the Claims

Claims 1, 2, 4, 6-13, and 15-40 were pending in the instant application at the time of the final office action. Claims 1, 2, 22, 28-33, 39 and 40 are indicated as allowed. Claims 4, 6-13, 15-27 and 34-38 were rejected under 35 U.S.C. §112 second paragraph: (claim 22 appears to be listed as allowed and rejected however, Applicants believe the following amendment clarifies all the issues and claim 22 is allowed). Applicants respectfully request reconsideration in light of the above amendments and the following remarks.

II. Rejection under 35 U.S.C. §112, second paragraph should be withdrawn

Claims 4, 6-13, 15-27 and 34-38 were rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to point out and distinctly claim the subject matter which applicants regard as the invention.

More particularly, claims 6-8 and 15-17 were rejected as depending from cancelled claims; claim 9 was rejected as reciting "peripheral tissues" for which there is no antecedent basis in claim 1; claims 18 and 27 were similarly rejected; claim 10 was rejected for reciting "anti-depressant" rather than "antidepressant"; claims 11 and 12 were rejected for lack of antecedent basis for the term "the modification" and claims 23-27 and 34-38 were rejected as lacking antecedent basis for the term "peripheral tissues." Each of these rejections is overcome by the clarifying amendments presented above and explained below. It is noted that claims 19-22 appear to be listed both as allowed and rejected, however, Applicants believe the following amendment clarifies all the issues and claim 19-22 are allowed.

Claims 6-8, which depended from cancelled claim 5 have been amended herein above to depend from claim 1, claims 15-17, which depended from cancelled claim 14

have been amended to depend from claim 10. These amendments address each of the rejections with respect to these claims.

Claims 10 has been amended to replace the term "anti-depressant" with the term "antidepressant" in accordance with the Examiner's suggestion.

Claims 11 and 12 have been amended to replace the term "modification" with the term "redistribution."

Claims 9 and 18 have been cancelled and claims 23, 27, 34 and 38 have been amended to replace the term "peripheral tissues" with the term "cultured cells."

Applicants submit that the above amendments and comments address all of the rejections based on 35 U.S.C. §112, second paragraph and request that the rejections be withdrawn in light of these comments.

III. Conclusions

Applicants believe that all of the rejections have been overcome and the claims of the instant application are now in condition for allowance and request an early indication of such a favorable disposition of the case. The Examiner is invited to contact the undersigned with any questions, comments or suggestions relating to the referenced patent application.

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Respectfully submitted,
By 

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